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ADMITTED IN N.Y. AND N.J.

May 2, 2016

VIA ECF
PERSONAL & CONFIDENTIAL

Judge Kiyo A. Matsumoto
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

RE: UNITED STATES v. MARTIN SHKRELI
No. 15 Cr 00637 (KAM)

Dear Judge Matsumoto:

As your Honor is aware, we represent MARTIN SHKRELI in connection with the pending indictment.

We write to respectfully advise the Court that counsel for Mr. Shkreli does not intend to ask this Court to reconsider the decision of the Honorable Jack B. Weinstein on the issue of the attorney client relationship between Mr. Shkreli and his co-defendant EVAN GREEBEL as it relates to the charges in this case. We do not accept Judge Weinstein's conclusion that the "crime/fraud" exception applies in this matter. Our position, however, will permit counsel to pursue a "reliance of counsel defense" should we deem it appropriate at trial.

Thank you for the courtesy extended to counsel.

Respectfully,



Benjamin Brafman

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